

**Notice of Allowability**

Application No.

09/806,382

Applicant(s)

SETO ET AL.

Examiner

Samuel W Liu

Art Unit

1653

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 8-27-03, 2-24-03 and 3-29-01.
2. ☒ The allowed claim(s) is/are 17-34.
3. ☒ The drawings filed on 29 March 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.   |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.              | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment         |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input type="checkbox"/> Other   |

Art Unit: 1653

This Office action is in response to (i) applicants' amendments filed 27 August 2003, which amends claim 19, (ii) applicant's amendment filed 24 February 2003, which cancels claims 1-16 and adds claims 17-34, (iii) applicants' preliminary amendment filed 29 March 2001, which amends claims 3, 6-7 and 9-10 and adds claims 12-16, and (iv) applicants' request for extension of time of one month filed 27 August 2003. The matters indicated above have been entered.

The pending claims 17-34 are therefore examined in this Office action.

### **EXAMINER'S AMENDMENT**

An Examiner's Amendment to the record appears below. Should the change and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than payment of the Issue Fee.

#### **Amendments to the specification:**

Insert the following paragraph before the "Description" paragraph:

This patent application claims foreign priority benefits. Specifically, this patent application claims the benefit of the filing date under 35 U.S.C. 120 of International Application No. PCT/JP99/0502, filed 28 September 1999, and also the benefit of the filing date under 35 U.S.C. 119 of Japanese Application No. 10-274574, filed 29 September 1998.

In abstract, change is the following:

A method of controlling granule secretion comprising performing a treatment to increase or decrease an active form of calgranulin on a cell line having capability of secreting granules, thereby increasing or decreasing granule secretion from the cell line. A method of detecting a substance which inhibits or activates the granule secretion reaction by applying this controlling method. An active form of calgranulin is increased by making the cells permeabilized cells and adding a calgranulin and soluble calcium. Decrease of an active form of calgranulin is carried out by introducing a calgranulin antibody into cells. The method is useful for screening a substance which inhibits or activates granule secretion.

In page 6, line 25, change "No . 8 Blood , Vol . 2" to "No . 8, Blood , Vol . 2".

Art Unit: 1653

In page 8, line 24, change "PAS , 75," to "PNAS , 75," and change "Necl. Acid. Res." To "Nuc. Acid. Res.".

In page 9, line 9, change "intermolecular S-S linkages" to "intermolecular disulfide linkages."

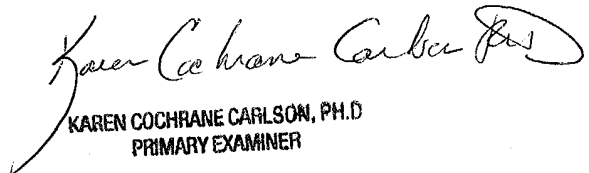
*Conclusion:* claims 17-34 are allowable over the art of record.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samuel Wei Liu, Ph.D. whose telephone number is (703) 306-3483. The Examiner can normally be reached daily except alternate Fridays from 8:30 A.M. to 5:30 P.M. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christopher Low, can be reached at (703) 308-2329. The official fax phone number for Technology Center 1600 is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.



Samuel Wei Liu, Ph.D.  
September 17, 2003



KAREN COCHRANE CARLSON, PH.D.  
PRIMARY EXAMINER